

14. W. Bullock – F.13 Use of K-9s

I. POLICY

This policy establishes guidelines and procedures for supervision, operation, and utilization of Vance County Sheriff's Office Canines in accordance with Federal and State laws, to increase the effectiveness of the Sheriff's Office in the detection and apprehension of criminal offenders, the detection of hazardous devices, and the locating of missing persons or cadavers.

II. GENERAL

Trained Canines are a valuable law enforcement aid for use in evidence, hazardous device, drug detection, criminal prosecution, locating missing persons, and promoting favorable public relations. This directive addresses the procedures for the use of Canines, the request for service by members of the Vance County Sheriff's Office, other law enforcement agencies, and the use of controlled substance, explosive devices training aids.

All Canines will be secured on a lead at all times when outside of the Patrol vehicle unless the deployment process requires off-lead conditions (i.e. evidence/article search, area search).

III. APPLICATION

All personnel of the Vance County Sheriff's Office shall be subject to the provisions of this directive. Personnel are reminded that law enforcement canines are animals, and should not expect human responses to your actions. Canines used by this agency are not pets, and shall not be treated as such. Personnel not assigned and trained as a canine handler shall keep their distance, and do not attempt to pet any canine used for law enforcement purposes. Unless performed as part of a training exercise, teasing, agitating, or roughhousing with a Canine or the handler in the presence of the Canine is strictly prohibited.

Personnel not trained as a canine handler shall be prohibited to attempt or give any commands of any type to a law enforcement canine assigned to the Vance County Sheriff's Office.

Public displays (such as school demonstrations, civic clubs, etc.) to demonstrate the Canine's skills and abilities (including apprehension of another officer) may be conducted with the approval of the Supervisor in Charge or higher authority. All public displays or demonstrations will be conducted on-lead

The use of canines has proven to be a valuable asset to the law enforcement community. The Sheriff's Office maintains canine teams to support patrol and

detention operations, plus specialized units of this agency. Canine teams are also available to assist other agencies upon request.

It is the policy of the Sheriff's Office to use canines in a prescribed manner, as a supplemental and supportive tool, in order to effectively achieve the goals of the Sheriff's Office. It is the policy of the Sheriff's Office that canine teams be utilized for tracking, area searches, building searches, controlled substance searches, explosive detection, cadaver recovery, crowd control, seizing fleeing suspects, preventing escape and maintaining security, order and discipline in the detention center.

Canine handlers are reminded that a properly trained canine can constitute a use of force. In this, as in other cases, deputies may use that degree of force reasonably necessary to apprehend or secure a suspect, and all required "Use of Force" documentation may apply.

IV. RESPONSIBILITY

Canine handlers are sworn members, who have volunteered for this assignment. Deputies who handle canines are assigned regular duties and respond with their assigned canine on an "as needed" basis. Each handler shall answer to his/her immediate supervisor.

When canines are deployed for law enforcement operations, the on-site supervisor or his designee will assume command. The Sergeant in charge of the Special Enforcement Unit and Canines shall be responsible for the general use and deployment of all canine teams, and is responsible for the operational supervision of the dog handlers, training, and for authorizing specific uses and conditions under which the dogs operate.

Canine handlers are responsible for ensuring that his/her assigned canine is treated humanely, properly maintained, and is not used under circumstances which are unreasonably dangerous or unhealthy to the animal. The canine handler will be responsible for ensuring that their canine receives necessary veterinarian treatments as scheduled. He/she is also responsible for monitoring the performance of their canine for the purpose of determining the animal's overall well-being, as well as training needs.

When a canine handler is injured in the line of duty, or is out of work sick for an extended period of time, another trained canine handler may be contacted to take control and/or care for the canine in question until the injured or sick handler returns to full duty. The Supervisor in charge of canines or designee shall be responsible for ensuring that a handler with the appropriate training for the type of canine in question is contacted.

V. HANDLER REQUIREMENTS

The duties of handling a law enforcement canine are voluntary, and deputies who wish to volunteer must meet the following requirements to be considered. He/she must:

- Have completed their probationary period
- Be mature, patient, decisive, exhibit's self-control, good-natured, and have a professional personality.
- Reside in a home which provides a suitable environment, with ample space and yard to accommodate the canine and its kennel.
- Have a "Meets" or "Exceeds" expectations on the most recent performance appraisal.
- Not be under investigation, or have an active disciplinary action imposed against him/her.
- Be in good physical condition.
- Have a strong affection for canines.

VI. TRAINING

Canine teams shall receive a minimum of eight (8) hours training each month, or when deemed necessary by the supervisor in charge of canines. Training shall be conducted while on duty, in accordance with the schedule prepared by the supervisor in charge of canines.

The supervisor in charge of canines shall ensure that proper records are maintained, documenting training session, and shall prepare a monthly report of training activities. A copy of the monthly report shall be forwarded to the supervisor in charge of Training by the (5th) of each month.

It shall be the responsibility of the supervisor in charge of canines to ensure that all required canine certifications are maintained, with copies forwarded to the supervisor in charge of Training for filing.

Training Aids

- The maintenance of the Canine's detection proficiency requires controlled substance, and hazardous devices odors in training. To protect the integrity of the Sheriff's Office and the Canine Handler, the use of controlled substances and hazardous devices odors for training must be carefully monitored, and stored.

- Controlled substances used, as training aids will be obtained through the courts after final disposition of the cases. A court order must be prepared by the presiding judge of the case. The order will designate the controlled substance from the case to be used by the Vance County Sheriff's Office for canine training. All controlled substances will be obtained from cases in which the Sheriff's Office or a Federal Agency was the arresting entity. Prior to obtaining these training aids they must be tested and weighed by an approved laboratory.
- Hazardous devices odors used as training aids shall be obtained in strict compliance with Federal and State laws.
- The Canine Training Coordinator will be responsible for the custody of all controlled substances, and hazardous devices odors.
- The Canine Training Coordinator shall prepare and document the packaging of each controlled substance and hazardous device odors canine training aids. Canine training aid documents are maintained in the K-9 Trexx software, or other approved software, and will be used to record all information regarding the individual training aids.
- All controlled substance training aids will be secured in a separate storage locker within the appropriate Vance County Sheriff's Office, accessible only to the assigned Evidence Custodian or the alternate. The patrol vehicle trunk may be used for temporary storage (maximum of 24 hours unless an emergency prevents return to storage) during training periods.
- Canine Training Aid Annual Inventory form shall be completed documenting all controlled substances and hazardous devices odors on hand. This form must remain in the storage locker with the training aid for one (1) year from the date the inventory is conducted. When it is replaced with a new inventory, the original (expired) inventory shall be retained in the Canine Training Coordinators file for two (2) more years.
- The Canine Training Coordinator or his/her designees may have training aids in their possession only for training purposes and must obtain them from the Evidence Custodian from the locker in which they are stored. The Evidence Custodian Supervisor or the alternate will be responsible for signing out training aids and upon their release and return shall note the date, time, and item number on the appropriate form. The amounts shall be the same upon return as when checked out unless satisfactorily explained and documented. All training aids must be returned to the storage locker within 24 hours of removal unless emergency circumstances dictate otherwise. The Supervisor in charge of canines shall inspect all forms to assure proper retention and accounting of controlled substance training aids.
- The addition, loss, or destruction of any controlled substances, or hazardous device odors must be recorded and supported by proper documentation. Any unusual or substantial loss or any theft of a controlled substance or

hazardous device odors shall be immediately reported via the chain-of-command to the Canine Training Coordinator and the supervisor in charge of canines.

- Training aids should be replaced at yearly intervals (this is dependent on the availability of appropriated replacements). Training aids shall be destroyed by the Evidence Custodian Supervisor after conferring with the Canine Training Coordinator, and documented on the appropriate form. The original shall be maintained in the training aid storage locker for two (2) years, and then transferred to the Canine Training Coordinators file for two (2) years.
- Damaged controlled substance or hazardous devices training aids shall be recovered, destroyed and documented.
- At no time will any Canine Handler have in his/her possession any amount of controlled substances or hazardous device odor for the use of canine training unless authorized by the Canine Training Coordinator, or the supervisor in charge of canines.

VII. CANINE TEAM RESPONSE

Canine teams shall not respond to a situation where the canine is utilized for a purpose for which the handler or animal are not properly trained. The following categories are valid law enforcement responses for which canine teams may be deployed:

- All felonies and serious misdemeanor crimes where the suspect has fled on foot, and a canine team is requested for tracking.
- All burglary or robbery alarms, open door/window calls, or intrusion alarm calls where the canine team will be the primary building search unit.
- Assisting in locating lost individuals, including infants, children or disoriented elderly persons.
- Searching an area for discarded evidence or contraband.
- Searching for narcotics.
- Explosives detection.
- Land and water cadaver searches.
- Crowd control.
- Assistance at Detention Center.

- Any other call where, in the opinion of an on-duty supervisor, or the canine handler, a canine team would be an asset assisting another Vance County unit or other law enforcement agency, or serving as the primary unit. If the handler makes the decision to commit his/her canine, he/she must notify the on-duty supervisor.

VIII. DUTIES OF RESPONDING DEPUTIES

Responding deputies shall comply with the following procedures:

- Maintain a perimeter at any area or building to be searched by a canine team. Deputies assigned to perimeter locations will be moved in accordance with the progress of the canine team's search, or tracking efforts.
- Avoid contaminating the search area prior to the completion of the canine's search.
- Avoid entering a search area or building prior to the canine team's arrival. The supervisor in-charge shall ensure all members are out of the area prior to the canine's search, and that the contaminated area has been described to the canine handler.
- When the canine team enters a building or search area, another deputy shall be assigned to accompany the canine team. This deputy's responsibility is to provide cover for the canine team.

IX. CANINE UTILIZATION

Canine teams of the Vance County Sheriff's Office may be authorized to deploy their assigned canine for certain situation. The on-scene application of the canine is the responsibility of the canine handler.

Last minute mutual aid requests by jurisdictions outside Vance County shall be coordinated and approved through the on-duty supervisor.

Canine team vehicles shall not be used to transport prisoners. If a canine handler makes an arrest, he/she shall request a second unit for the purpose of transporting the prisoner.

Canines may be used in the Vance County Detention Center for the search of narcotics, contraband detection, and inmate control and cell extraction. This must be done in accordance with detention policy and approval from the on-duty detention supervisor in charge, or higher authority.

Use of Force by Canine

A trained Canine is a law enforcement tool and shall be used in conformance with the "Use of Force" Section IV, "Use of Less than Lethal Force".

All suspects shall be warned of the imminent use of a Canine in apprehension applications and should be afforded the opportunity to surrender if feasible. A canine may be released only if a lesser measures of force has failed and a order to surrender is given.

The requirement to warn a suspect three (3) times remains valid when the suspect's actions are normal and do not change, i.e. a person who continues to walk at a normal or accelerated pace in a direction that will not elude the canine team. The handler will announce: "Stop or I will release my dog".

If the handler is unable to announce the warning due to the speed in which the situation is developing, it will not preclude the use of the dog as long as all other requirements are met. If during the warning procedures the subject breaks and runs, the canine may be released to effect the apprehension, if the only other options would be for the subject to escape. A final verbal warning will be given to the suspect when the dog is released.

In housing areas, extreme caution must be used to avoid endangering innocent bystanders by reducing or minimizing the danger before releasing a canine.

If the suspect advances in a threatening manner towards the canine team, the canine will be released to protect the handler.

After the canine has been released to affect an apprehension, the handler will advance as rapidly as possible to regain control of the canine. This is to minimize injury to the suspect and to affect the apprehension. The handler must maintain sight of the canine at all times.

If a situation arises where the canine team is fired upon, the canine may either be released or restrained as the situation may dictate.

To check identification or affect an apprehension, the canine team shall advise individual(s)/suspect that the canine will attack with or without command upon any movement or display of hostility toward the canine team. The handler will have the individual(s)/suspect verbally acknowledge that the warning was understood.

Canines will not be released for apprehension of a suspect except under one or more of the circumstances listed below; and only then, when a verbal warning to "stop" has first been given, there are no bystanders situated in the direction of pursuit, and/or threat to bystanders are minimized. A lesser degree of force, in accordance with the "Use of Force" policy will first be considered before utilizing the canine.

- To apprehend a known, dangerous criminal.
- To apprehend a fleeing subject after proper challenge.
- To prevent the escape of a prisoner.

- To prevent injury or harm to the canine team.
- To prevent injury to other Law Enforcement personnel, members of the community, or personnel designated for protection.
- When directed by the lawful order of a superior authority.
- Assist with uprising in the jail, when approved by the Sheriff or designee.

The Canine shall not be used to prevent, deter, intimidate, or threaten any person or group of persons gathered for the purpose of exercising their constitutional rights in a **lawful** manner.

Building and Other Premises Searches

- One of the primary uses of canines, is to locate suspects hidden in buildings or related structures where search by deputies alone would create an unnecessary risk. These searches shall be governed by the following guidelines:
 - The use of canine teams for building searches is appropriate for those incidents where there is probable cause to believe that a felony suspect(s) or serious misdemeanor suspect(s), who poses a physical threat, may be concealed.
 - Probable cause may be formulated by a variety of means, such as an activated burglary alarm, witness testimony that a subject was observed entering a structure or conveyance, etc.
- During building searches, the perimeter of the building will be secured by law enforcement.
- Whenever possible, the owner or person in possession should be contacted to determine whether there may be tenants or others in the building and to ascertain the layout of the building.
- When using canines (Building Searches Only) trained for criminal apprehension, three (3) warnings will be given prior to entry.
- If a canine team is available to perform premises searches, and circumstances authorize such a search, the on scene / on-duty supervisor shall make every effort to utilize the canine team.
- When not a tactical disadvantage, the canine handler will keep outside units advised of his/her location when moving within the building.

X. TRACKING AND AREA SEARCHES

Because canines possess a superior sense of smell, this makes them suitable for tracking suspects who have fled from the scene of a crime and are actively engaged in efforts to elude capture. Canines are also available to search for other individuals such as lost children or adults.

The use of canine teams for detecting and locating is limited to the following situations:

- Fleeing suspects
- Arrestees
- Convicted persons
- Missing or lost individuals, and
- Cadaver recovery

When necessary, the canine team should be called to the scene or area to be searched as quickly as possible while the scent is still fresh. Upon waiting for the canine team's arrival on the scene or area to be searched, deputies and other persons should:

- Turn vehicle engines off
- Wait for the arrival of the canine team prior to beginning the search
- Avoid items that were or may have been touched by the suspect(s)
- Establish a path in and out of the area to be searched; and
- Control entry into the search area

Deputies or other law enforcement officers shall secure the perimeter while the canine team proceeds with locating a fresh trail for tracking. Only support personnel deemed necessary by the canine handler will enter the search area with the canine.

Contaminated areas should be pointed out to the canine handler prior to the trail attempt.

When not a tactical disadvantage, the canine handler will keep the perimeter units updated with the location and direction of the trail being tracked.

XI. NARCOTICS DETECTION CANINE

Narcotics detection canines are specially trained to locate and detect illegal narcotics and other controlled substances. The detector dog may be utilized in all aspects of narcotics interdiction to search buildings, premises, mail, freight, vehicles, vessels, trains, aircraft, etc. Because a drug detection alert is an aggressive alert; narcotics detection dogs shall **not** be used on a person or objects while on their body.

Prior to the canine conducting the search, all persons must be removed from the area to be searched.

All plain view drugs must be secured prior to the dog search.

XII. EXPLOSIVE DETECTION CANINE

Explosive detection canines are specially trained to locate and detect explosives and incendiary devices. The explosive detection canine may be utilized to search buildings, premises, mail, freight, vehicles, vessels, trains, aircraft, etc., for the purpose of locating explosive and incendiary devices and for tracking.

An explosive or incendiary device alert is a passive alert. Prior to the canine conducting the search, all persons must be removed from the area to be searched. If the dog alerts, the search will be stopped and the device removed or rendered safe by a Hazardous Device Unit technician before continuing the search.

XIII. CROWD CONTROL

The use of canines for the purpose of crowd control shall be in strict compliance with the following:

- Canines shall not be deployed at the scene of any lawful demonstration, picketing, or congregation.
- Canines may be used for crowd control if criminal rioting is occurring or imminent.
- Canines may be deployed as a back-up unit for public disturbance calls to protect law enforcement whose safety is jeopardized.
- Canines used in crowd control must be short leashed at all times unless the canine is used as force to prevent an imminent threat of death or serious bodily injury.

XVI. PROHIBITED USES

Canines shall not be used in areas and situations deemed by the handler to be unsafe.

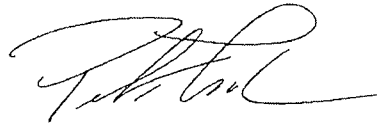
Canines shall not be used in an area or on any premises to which law enforcement does not have lawful access.

Canines shall not be used to search people or objects on their person.

Handlers shall not use their assigned Canine for intentional breeding purposes.

Handlers shall not enter their assigned Canine in **any** canine show or trial, without written permission from the Sheriff's Office Captain, or higher authority.

Canines will not be retired or, except in case of emergency, destroyed without court order or written authorization from the Sheriff. In cases other than by court order the destruction of the dog will require a complete report and in cases of euthanasia, justification from a veterinarian is required.

A handwritten signature in black ink, appearing to read 'Peter White', with a stylized, cursive script.

Peter White
Sheriff
Vance County

I. POLICY

This policy establishes guidelines and procedures for the execution of civil processes in support of the judicial function, according to current laws.

II. DEFINITION

Civil Process: A document issued by a court in support of the civil court system. The document encompasses any part of civil procedure, originating, supplemental, intermediate or final; and may include summons, subpoenas, writs, civil orders for arrest, domestic violence orders, involuntary commitment orders, notices, temporary restraining orders or the like.

In accordance with N.C.G.S. § 8-59, Issuance and Service of Subpoena shall be in compliance with state law and Rule 45 of the Rules of Civil Procedure for Civil Actions.

III. SERVICE PROCESS

The service of civil processes shall be performed by the Sheriff in accordance with N.C.G.S. § 162-13 thru 16.

Although most processes are served by the Civil Division or the Special Enforcement Unit, all sworn personnel are subject to being assigned to serve civil processes. Deputies assigned to the service of civil processes may primarily work shifts which are conducive to locating persons during normal working hours. If other arrangements are necessary to serve a particular paper, it may become incumbent on a deputy, detective, vice officer or other sworn member to assist with service. When this occurs, the assigned deputy shall accept the responsibility to make every reasonable effort to serve the process within the limits of the law and Sheriff's Office policy.

Under most conditions, deputies may only take action which is civil in nature by means of some court writ or order. Therefore, as a standard, when a civil process is being executed, the proper paperwork must be validly issued and received.

Deputies shall not take action in a civil procedure if, assisting a person who is repossessing a vehicle and this agency has no civil paper from the Court directing the Sheriff's Office to repossess the vehicle. In this case, the Sheriff's office would follow through with the repossession as spelled out in N.C.G.S. 1-308 through 313, Writs of Possession.

Listed below are references for deputies to use when handling or attempting to serve civil processes. Although this is not an all inclusive list, it is a list of the